IN THE HIGH COURT OF JUDICATURE
AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

GUARDIAN PETITION NO.12 Of 2007

Aleyamma John ...Petitioner

Ms.Kusum G. Poojary for Petitioner

CORAM: SMT. ROSHAN DALVI, J.
DATED: 1ST MARCH, 2007

P.C.

1. Petition accepted and made returnable forthwith. Notice upon any party is not required. The Petitioner is the maternal grand-mother of the minor child Ben Verghese. The Petitioner as well as the minor are present in Court. The parents of the minor child John and Mary as well as his brother Joel have expired in an unfortunate car accident near Mangaon, Goa.

2. The certificates of death of all the three family members as well as the documents relating to the movable properties contained in various investments shown in the schedule Exhibit-G to the Petition have been produced in the Court.

3. Both the parents of the minor child were in Government

service and are required to be paid pension and other dues upon their death. Similarly the investments of the parents have to be transferred in the name of the minor child Ben as the sole beneficiary.

4. The Petition is made absolute in terms of prayer clause (a).

5. The Petitioner is appointed Guardian of the person and property of the minor Ben Verghese. The Employers of the parents of the minor shall issue the cheques for all the benefits that would accrue to them upon their death in the name of the said minor Ben Verghese showing the Petitioner as his Guardian. Similarly various offices of the investments shown in Exhibit-G to the Petition shall transfer the investments in the name of the said minor showing the Petitioner as the Guardian.

6. The Petitioner shall open a separate Account in the name of the minor showing his as his Guardian. All the dues of the two offices shall be deposited in the said Account by the Petitioner.

7. The Petitioner has incurred expenses for the hospitalisation of the minor child. Her Advocate states that she has not been reimbursed those expenses. The Petitioner

shall be entitled to be reimbursed the expenses incurred by her as shown in the hospital bills submitted by her from the amounts which will be received by her and which will be credited to the separate account opened by her in the name of the minor and showing her as his guardian.

8. The Court itself has initialed in red ink each of the bills submitted by the Petitioner for such reimbursement. The bills are taken on record and marked Exhibit-A accordingly.

9. The pension dues of the deceased parents of the minor child aggregate to Rs.15000/- p.m. The Pension dues of both the deceased parents of the minor child shall be paid in the name of the Petitioner. It shall be deposited in the Pension Account already opened. It shall be used by the Petitioner for the maintenance of the minor child Ben Verghese.

10. All the other investments mentioned in Exhibit-G to the Petition shall not be encashed or utilised by the Petitioner save and except as stated in para 7 above. They shall continue to be re-invested until the minor child attains majority.

11. The Guardian Petition No.12 of 2007 is disposed of accordingly.

(SMT.ROSHAN DALVI, J.)